

A Special Dietary Supplement * * * Each Capsule Contains: Vitamin B₁ (Thiamin Chloride) ---- 3 mg. Vitamin B₂ (Riboflavin) ---- 2 mg. Vitamin B₆ (Pyridoxine Hydrochloride) ---- 0.1 mg. Vitamin B₁₂ (Activity Equiv.) ---- 1 microgram As in Streptomyces Fermentation Extractives Calcium Pantothenate ---- 1 mg. Niacinamide ---- 10 mg. Choline Dihydrogen Citrate ---- 50 mg. Inositol ---- 20 mg. Folic Acid ---- 0.5 mg. And other factors of the B complex as found in Liver and Yeast with Excipients, enclosed in an artificially colored gelatin capsule."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the leaflets accompanying the article were false and misleading. The statements represented and suggested that the article was effective to overcome fatigue, to make the user feel young, and to build blood, and that it was effective in the treatment of anemia which responds to vitamin B₁₂. The article was not effective for such purposes.

DISPOSITION: August 17, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable organization for its use and not for sale.

4173. Misbranding of B-Amino Complex tablets. U. S. v. 27 Cartoned Bottles
* * *. (F. D. C. No. 34935. Sample No. 54112-L.)

LABEL FILED: April 7, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 18, 1952, by Universal Nutritions, from New York, N. Y., to Cleveland, Ohio, and from there transported, on or about November 23, 1952, to Chicago, Ill., by a representative of a Chicago firm.

PRODUCT: 27 cartoned bottles of *B-Amino Complex tablets* at Chicago, Ill. A leaflet headed "If Your Body Could Talk It Would Say" was enclosed in each carton of the article.

Analysis showed that 6 tablets of the article supplied not more than 4.8 milligrams of iron and not more than 11.2 milligrams of vitamin B₁.

LABEL, IN PART: (Bottle) "100 Tablets B-Amino BAC-Complex A brand of amino acids, coenzymes, vitamins and minerals Daily dose of 6 tablets contains: Vitamins Vitamin B₁ (Thiamine Hydrochloride) 18.0 mg. * * * DI and Tri-Valent Minerals Iron (Ferric Citro Pyrophosphate Soluble) 28.8 mg. * * * Unitone Corporation Distributor New York 13, N. Y."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "6 tablets contains: * * * Vitamin B₁ * * * 18.0 mg. * * * Iron * * * 28.8 mg." was false and misleading as applied to the article, which contained less than 18.0 milligrams of vitamin B₁ and less than 28.8 milligrams of iron per 6 tablets. The article was misbranded in this respect while held for sale after shipment in interstate commerce.

Further misbranding, Section 502 (a), the labeling of the article, namely, the retail package labels and the above-mentioned leaflet, was false and misleading. The labeling represented and suggested that the article, when used as directed, would supply an important quantity of protein; that it was needed by the eyes, ears, lungs, liver, intestines, muscles, brain, heart, stomach, kidneys, and the entire body; that it would supply increased energy to the heart, lungs, muscles, liver, and other important organs; that it would supply missing enzymes necessary to carry on body functions, such as growth, reproduction, secretion, nerve condition, muscular contraction, etc.; that it would

supply vitamins, proteins, and minerals in the correct proportion to stimulate the body to work as nature intended; that it would endow the user with vibrant life, health, and energy; that it would enable the liver to convert more than normal amounts of carbohydrates into energy; that it would transfer fatigue to quick energy; that it would prevent and correct disfunction in the energy conversion chemistry of body functioning; that it would reactivate all enzyme systems necessary for healthy body functioning; that it would activate the body cells to function as nature intended; and that it would supply needs that are missing from the food one eats. The article, when used as directed, would provide but a small fraction of one's normal consumption of protein; it was not capable of fulfilling the promises of benefit stated and implied; and it did not contain needed elements that are not available in commonly available foods. The article was misbranded in this respect when introduced into and while in interstate commerce.

Further misbranding, Section 502 (a), the following statements in the above-mentioned leaflet, namely, " 'Unbalanced B Vitamins May Be Dangerous' . . . says The Journal of the American Medical Association in an Editorial of September 1, 1945. They say further . . . 'Extensive scientific evidence has revealed that if B Vitamins are administered in other than balanced proportions, they may create Vitamin Deficiencies rather than cure them.' . . . still quoting the JAMA, the Editorial continues 'Many B-Complex preparations available to the physician and public today are definitely unbalanced . . . either too much thiamine or not enough riboflavin, niacin, or pyridoxine.' " were false and misleading since the quotations did not appear in an editorial in the September 1, 1945, issue of the Journal of the American Medical Association, and since the article did not contain B vitamins in balanced proportions. The article was misbranded in this respect when introduced into and while in interstate commerce.

The article was alleged also to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: August 14, 1953. Default decree of condemnation and destruction.

4174. Misbranding of Blue Ridge Mountain Minerals. U. S. v. 285 Packages, etc.
(F. D. C. No. 35230. Sample Nos. 47618-L, 47619-L.)

LABEL FILED: May 12, 1953, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about January 22, 1953, from Rome, Ga.

PRODUCT: 285 5½-ounce packages of *Blue Ridge Mountain Minerals* and 39 pounds of a raw material in bulk at Hattiesburg, Miss., in the possession of the National Mineral Co.

RESULTS OF INVESTIGATION: The product in the above-mentioned packages was repackaged by the National Mineral Co. from 3 unlabeled 100-pound bags in which the product had been shipped in bulk in interstate commerce. The 39 pounds of the raw material in bulk was the portion of the bulk shipment which had not been repackaged.

Examination showed that the product was a black mineral substance consisting essentially of water and acid-insoluble compounds of iron and aluminum, with a small amount of water-soluble iron compounds.

LABEL, IN PART: (Package) "Genuine Blue Ridge Mountain Minerals * * * Most Wonderful Tonic and Body Builder Contains Neither Drugs Nor Narcotics * * * Contents 5½ Ounces * * * For Old Sores and Skin Infections